IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1686 of 2005

Mazgaon Containers & Fabricators P.Ltd. Petitioners

versus

Dilip S. Lokhande .. Respondent

...

Mr.P.K. Rele with R.P.Rele with Piyush Shah for the petitoiner.

Mr.Y.N. Pendse for the respondent no.1.

CORAM : D.G. KARNIK,J.

DATED : 18th July 2005.

P.C.:

1. Heard learned counsel for the petitioners and respondent no.1.

2. Perused the affidavit in reply filed by respondent no.1. Learned counsel for the respondent no.1 points out that the impugned award was passed on 12th February 2001 and the present Writ Petition has been filed on 13th June 2005 after a lapse of more

than four years. Learned counsel for the respondent no.1 also points out that the intimation of the award was sought to be given by respondent no.1 to the petitioner by registered post A.D. but the petitioner declined to accept the registered communication. The petitioner therefore must be deemed to have the knowledge of the award. No sufficient explanation is offered by the petitioner for the delay in challenging the award passed in favour of an employee.

3. Petition is rejected.

D.G. KARNIK, J